

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JEFFREY J. GIORDANO,  
Plaintiff,  
v.  
KILOLO KIJAKAZI,  
Acting Commissioner of Social Security  
Defendant.

} STIPULATION AND ORDER FOR  
} VOLUNTARY REMAND PURSUANT  
} TO SENTENCE FOUR OF 42 U.S.C. §  
} 405(g)  
} ECF No. 18

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Acting Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new hearing and new decision. The Appeals Council will instruct the ALJ to consider the opinion evidence and prior administrative findings under the proper

regulations. The Appeals Council will offer Plaintiff the opportunity for a hearing and instruct the ALJ to take further action, as warranted, to complete the administrative record and resolve the above issue.

Dated: December 21, 2021

Respectfully submitted,

/s/ Robert Weems

(\*as authorized via e-mail on 12/21/21)

Robert C. Weems

Weems Law Offices

Attorney for Plaintiff

Dated: December 21, 2021

PHILLIP A. TALBERT

## Acting United States Attorney

DEBORAH LEE STACHEL

## Acting Regional Chief Counsel, Region IX

## Social Security Administration

/s/ Margaret Lefkina

**MARGARET LEHRKIND**  
Special Assistant United St.

### **Special Assistant United States Attorney**

Attorneys for Defendant

## ORDER

Based on the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), ECF No. 18, and for cause shown, the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand. The Clerk of Court is directed to enter judgment in favor of plaintiff and against defendant, and to close this case.

IT IS SO ORDERED.

Dated: December 27, 2021

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JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE